

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

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JUL 30 1998

PCT

NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Rule 71.1)

Date of Mailing
(day/month/year)

27 JUL 1998

DOCKETED

Applicant's or agent's file reference

53-3440

IMPORTANT NOTIFICATION

International application No.

PCT/US97/03509

International filing date (day/month/year)

07 MARCH 1997

Priority Date (day/month/year)

07 MARCH 1996

Applicant

Kelsey Hayes Company

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

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PATENT COOPERATION TREATY

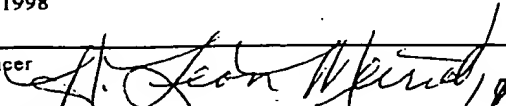
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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 53-3440	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US97/03509	International filing date (day/month/year) 07 MARCH 1997	Priority date (day/month/year) 07 MARCH 1996
International Patent Classification (IPC) or national classification and IPC IPC(6): B 60T 13/14; B60T 8/40 and US Cl.: 303/113.4		
Applicant Kelsey Hayes Company		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u>0</u> sheets.</p>	<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of report with regard to novelty, inventive step or industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application
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Date of submission of the demand 28 AUGUST 1997	Date of completion of this report 22 APRIL 1998
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231	Authorized officer  Matthew C. Graham
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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JS97/03509

I. Basis of the report

1. This report has been drawn on the basis of *(Substantive sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments):*

- ☒ the international application as originally filed.
- ☒ the description, pages 1-43 , as originally filed.
 pages NONE , filed with the demand.
 pages NONE , filed with the letter of _____.
 pages _____ , filed with the letter of _____.
- ☒ the claims, Nos. 1-18 , as originally filed.
 Nos. NONE , as amended under Article 19.
 Nos. NONE , filed with the demand.
 Nos. NONE , filed with the letter of _____.
 Nos. _____ , filed with the letter of _____.
- ☒ the drawings, sheets/fig 1-7 , as originally filed.
 sheets/fig NONE , filed with the demand.
 sheets/fig NONE , filed with the letter of _____.
 sheets/fig _____ , filed with the letter of _____.

2. The amendments have resulted in the cancellation of:

- ☒ the description, pages None .
- ☒ the claims, Nos. None .
- ☒ the drawings, sheets/fig None .

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the ~~Supplemental Box~~ Additional observations below (Rule 70.2(c)).

4. Additional observations, if necessary:
 NONE

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US97/03509

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement.**1. STATEMENT**

Novelty (N)

Claims	<u>1-18</u>	YES
Claims	<u>None</u>	NO

Inventive Step (IS)

Claims	<u>1-18</u>	YES
Claims	<u>None</u>	NO

Industrial Applicability (IA)

Claims	<u>1-18</u>	YES
Claims	<u>None</u>	NO

2. CITATIONS AND EXPLANATIONS

Claims 1-18 meet inventive step under PCT Article 33(3) Galiard shows a brake system of the type claimed except for the type of separator and stroke sensors. winner et al. shows a separator of the type claimed. Osada et al show a stroke sensor. It would have been obvious to one of ordinary skill in the art to have utilized a separator such as shown by Winner et al. and a stroke sensor of the type shown by Osada et al. in the system Galiard as known substitutes of equivalent elements. However, neither Galiard or Winner et al. have an effective date.

----- NEW CITATIONS -----
NONE